

DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY
(Under 37 CFR § 1.63; includes reference to PCT International Applications)

CURTIS, MORRIS & SAFFORD, P.C.
File No.: 370068-6120

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention ENTITLED: GRAPHITIC NANOTUBES IN LUMINESCENCE ASSAYS, the specification of which is attached hereto X was filed on March 6, 1996 as X United States PCT Application No. 08/611,347, with amendments filed herewith to cancel the claim for benefit of priority under 35 U.S.C. 120 (if applicable, give details).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT International application(s) designating at least one country other than the United State of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT International applications designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) on which priority is claimed:

Prior Foreign/PCT Application(s) [list additional applications on separate page]:

<u>Country (or PCT)</u>	<u>Application Number:</u>	<u>Filed (Day/Month/Year)</u>	<u>Priority Claimed:</u>	
			<u>Yes</u>	<u>No</u>

I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S. (or U.S.-designating PCT) Application(s) [list additional applications on separate page]:

<u>U.S. Serial No.:</u>	<u>Filed (Day/Month/Year)</u>	<u>PCT Application No.</u>	<u>Status (patented, pending, abandoned)</u>
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DECLARATION FOR PATENT APPLICATION
AND POWER OF ATTORNEY (Under 37 CFR § 1.63)

CMS Docket No. 370068-6120

I hereby appoint Barry Evans, Registration No. 22,802 and Robert F. Kirchner, Registration No. 31,034, and Curtis, Morris & Safford, P.C., Registration No. 12,761, or their duly appointed associate, my attorneys, with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to file continuation and divisional applications thereof, to receive the Patent, and to transact all business in the Patent and Trademark Office and in the Courts in connection therewith, and specify that all communications about the application are to be directed to the following correspondence address:

Barry Evans, Esq.
c/o CURTIS, MORRIS & SAFFORD, P.C.
530 Fifth Avenue
New York, NY 10036

Direct all telephone calls to:
(212) 840-3333
to the attention of:
Barry Evans

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

INVENTOR(S):

Signature: Richard J. Massey Date: Sept. 27, 1996

Full name of sole or first inventor: RICHARD J. MASSEY
Residence: 5 Valerian Court, Rockville, MD 20852
Citizenship: United States

Signature: Mark T. Martin Date: Sept. 27, 1996

Full name of 2nd joint inventor (if any): MARK T. MARTIN
Residence: 6516 Old Farm Court, N. Bethesda, MD 20852
Citizenship: United States

Signature: Liwen Dong Date: Sept. 27, 1996

Full name of 3rd joint inventor (if any): LIWEN DONG
Residence: 11411 Potomac Oaks Drive, Rockville, MD 20850
Citizenship: China

Signature: Ming Lu Date: Sept. 27, 1996

Full name of 4th joint inventor (if any): MING LU
Residence: 6411 Dahlgreen Court, Lanham, MD 20706
Citizenship: China

DECLARATION FOR PATENT APPLICATION
AND POWER OF ATTORNEY (Under 37 CFR § 1.63)

CMS Docket No. 370068-6120

Signature: _____

Date: 10/4/96

Full name of 5th joint inventor (if any): ALAN FISCHER
Residence: 80 Antrim Street, Cambridge, MA 02139
Citizenship: United States

Signature: _____

Date: _____

Full name of 6th joint inventor (if any): FABIAN JAMEISON
Residence: ~~806 Gallop Hill Road, Apt. H, Gaithersburg, MD 20879~~ *my 9/27/96*
Citizenship: ~~Jamaica~~ *18810 WALKERS CHOICE RD, #4*
GAITHERSBURG, MD 20879
U.S.A.

Signature: _____

Date: 9/27/96

Full name of 7th joint inventor (if any): PAM LIANG
Residence: 12 Crownwood Court, Rockville, MD 20850
Citizenship: China

Signature: _____

Date: 10/4/96

Full name of 8th joint inventor (if any): ROBERT HOCH
Residence: R.R. 1, Box 422, Hensonville, New York 12439
Citizenship: United States

Signature: _____

Date: 9-27-96

Full name of 9th joint inventor (if any): JONATHAN K. LELAND
Residence: ~~14002 Chestnut Court, Laurel, MD 20707~~ *9-27-96*
Citizenship: United States

*14236 Amberleigh Terr.
Silver Spring, MD 20905*

Post Office Address(es) of inventors [if different from residence]:

NOTE: In order to qualify for reduced fees available to Small Entities, each inventor and any other individual or entity having rights to the invention must also sign an appropriate separate "Verified Statement (Declaration) Claiming [or Supporting a Claim by Another] Small Entity Status" form [e.g. for Independent Inventor, Small Business Concern, Nonprofit Organization, Individual Non-Inventor].

DECLARATION FOR PATENT APPLICATION
AND POWER OF ATTORNEY (Under 37 CFR § 1.63)

CMS Docket No. 370068-6120

Signature: _____ Date: _____

Full name of 5th joint inventor (if any): ALAN FISCHER
Residence: 80 Antrim Street, Cambridge, MA 02139
Citizenship: United States

Signature: _____ Date: _____

Full name of 6th joint inventor (if any): FABIAN JAMEISON
Residence: ~~806 Gallop Hill Road, Apt. H, Gaithersburg, MD 20879~~ *18810 WALKERS CHOICE RD, #4*
Citizenship: ~~Jamaica~~ *U.S.A.* *Gaithersburg, MD 20879* *9/27/96*

Signature: *Fabian A. Jameison* Date: *9/27/96*

Full name of 7th joint inventor (if any): PAM LIANG
Residence: ~~12 Crownwood Court, Rockville, MD 20850~~ *12 E. 33rd St Apt 301C*
Citizenship: ~~China~~ *U.S.A.* *Baltimore, MD 21218* *10/2/96*

Signature: *Pam Liang* Date: *10/2/96*

Full name of 8th joint inventor (if any): ROBERT HOCH
Residence: R.R. 1, Box 422, Hensonville, New York 12439
Citizenship: United States

Signature: *Jonathan K. Leland* Date: *9-27-96*

Full name of 9th joint inventor (if any): JONATHAN K. LELAND
Residence: ~~14002 Chestnut Court, Laurel, MD 20707~~ *14236 Amberleigh Terr.*
Citizenship: United States *Silver Spring, MD 20905* *9-27-96*

Post Office Address(es) of inventors [if different from residence]:

NOTE: In order to qualify for reduced fees available to Small Entities, each inventor and any other individual or entity having rights to the invention must also sign an appropriate separate "Verified Statement (Declaration) Claiming (or Supporting a Claim by Another for) Small Entity Status" form [e.g. for Independent Inventor, Small Business Concern, Nonprofit Organization, Individual Non-Inventor].

ASSIGNMENT

WHEREAS, IGEN INTERNATIONAL, INC., a corporation organized and existing under the laws of the State of Delaware and having a place of business at 16020 Industrial Drive, Gaithersburg, Maryland 20877 (hereinafter referred to as "ASSIGNOR"), is the owner of United States Patent application 09/243,215 (hereinafter referred to as the "'215 application");

WHEREAS, MESO SCALE TECHNOLOGY, INC., a corporation organized and existing under the laws of the State of Delaware and having a place of business at 16020 Industrial Drive, Gaithersburg, Maryland 20877 (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring the entire right, title and interest in and to the '215 application in the United States and throughout the world;

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, ASSIGNOR, by these presents does sell, assign and transfer unto said ASSIGNEE, to the extent not already owned or assigned to ASSIGNEE, the entire right, title and interest in and to said '215 application and the inventions and discoveries which are the subjects thereof, as well as any continuation, divisional or foreign counterparts of said '215 application;

ALSO, ASSIGNOR hereby agrees to execute any documents that legally may be required in connection with the maintenance, reissue or reexamination of said '215 application, including additional documents that may be required to affirm the rights of ASSIGNEE in and to said '215 application, without further consideration.

ASSIGNOR hereby authorizes and requests the Commissioner of Patents and Trademarks to issue or transfer to ASSIGNEE the '215 application for ASSIGNEE's sole use and behalf; and for the use and behalf of ASSIGNEE's legal representatives and successors, to the full end of the term for which any resulting patent may be granted, as fully and entirely as the same would have been held by ASSIGNOR had this assignment, sale and transfer not been made.

For IGEN INTERNATIONAL, INC.
a Delaware Corporation

By:

Name: Richard J. Massey
Title: President

Witness

State of
County of

Maryland
Washington

ss:

On August 17, 2001, before me Tanya Vetter, Notary Public, personally appeared Richard J. Massey, personally known to me (or proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or entity on behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature:

Tanya Vetter
Notary Public

TANYA L VETTER
Notary Public
Commission Expires 5/28/2004